

From: Matt Kuhns
To: Microsoft ATR
Date: 1/24/02 11:32pm
Subject: Microsoft Settlement

January 24, 2002

I am writing to express my comments on the proposed Final Judgment in the Microsoft antitrust case, and to urge you to reject the current settlement terms.

After years of blatant misconduct by Microsoft, followed by years of legal battles, Microsoft was officially found guilty of abusing monopoly power. With that unambiguous judgment in hand, there should be no question of whether or not Microsoft's misdeeds will continue.

Yet the proposed settlement leaves the door wide open for Microsoft to continue abusing its unbroken monopoly power. Essentially the "solution" offered for Microsoft's violations of the law is that they promise to follow rules which restrict them from breaking the law. In the face of Microsoft's repeatedly-proven indifference to laws and regulations, the idea that this settlement will have any impact on them is insulting.

I don't believe anyone is fooling themselves in regards to the proposed settlement, either. The terms have been roundly criticized by media observers too great in number to dismiss as a biased minority. Nine states' Attorneys General, after investing great effort to bring Microsoft to justice, have declared the settlement's terms unacceptable and chosen to fight on.

I find it unlikely that you really have any more enthusiasm for this settlement than they do. There is, I realize, considerable political pressure to let Microsoft off the hook. But that's all the more reason why their power needs to be broken.

After all the arguments surrounding this settlement, the fact remains that Microsoft is guilty of consistent, illegal abuse of monopoly power. The sole effective solution for abuse of monopoly power is to end the monopoly. Break up Microsoft.

A Microsoft break-up will free the market from Microsoft's heavy hand, and restore natural competition. Ultimately everyone will benefit; businesses, customers, investors and even Microsoft itself.

Please, do the right thing and abandon the proposed settlement in favor of a real solution.

Sincerely,

Matt Kuhns
mjk@edgeofspace.net